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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/098,279	06/16/98	THOMAS	C ATC97-1

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LMC1/0829

EXAMINER

VO, T

ART UNIT

PAPER NUMBER

2713

DATE MAILED:

08/29/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/098,279

Applicant(s)
Thomas et al.

Examiner
Tung Vo

Group Art Unit
2713



- ☐ Responsive to communication(s) filed on _____.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 1-31 is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-31 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.

Application Papers

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of References Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2
- ☐ Interview Summary, PTO-413
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Drawings

1. This application has been filed with informal drawings which are acceptable for examination purposes only.

Claim Rejections - 35 U.S.C. § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1, 2, and 26-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Freeman (US 5,396,284).

Re claims 1, 2, and 26-31, Freeman discloses a surveillance method (fig. 1) for providing remote surveillance of an internal area of a building (60 of fig. 1) wherein the steps comprising:

receiving a surveillance image from a local camera (C1...Cn), (102 and 104 of fig. 6);

comparing the surveillance image with a reference image to produce a comparison result (130 of fig. 6);

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detecting presence of a activity condition based on the comparison result (136, 138 of fig. 6);

notifying an interested user of the activity condition when the presence of the activity condition is detected (138 of fig. 6);

wherein the detecting of the presence of the activity condition comprising comparing the comparison result with a predetermined threshold (132 of fig. 6), detecting the presence of the activity condition when the comparison result exceeds the predetermined threshold (col. 9, lines 1-30) and the lack of presence activity condition when the comparison result does not exceeds the predetermined threshold; wherein the CPU (140 of fig.1) receiving the comparison result for generating alarm signals;

wherein a memory (50 of fig. 1) for storing a sequence of images to obtain a visual record or alarm condition (col. 3, lines 33-41).

4. Claims 8, 9, 12-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Peters (US 5,717,379).

Re claims 8, 9, 12-18, Peters discloses a system for providing remote monitoring of a location comprising:

a camera (C of fig. 1) for obtaining an image of the location;

a remote computer (2 of fig. 1) having a display device capable of viewing images;

a local image controller (BT of fig. 1) for control the camera to determine whether an activity condition is present (col. 2, lines 20-41); wherein the image is captured by the camera (C

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of fig. 1) transmitted by the telecommunications network (col. 2, lines 1-8) (ISDN), wherein a network connection to the Internet, the monitoring system can connected to a data link such as a telecommunications network ISDN (col. 3, lines 18-29);

wherein the control system determined an activity condition is present based on the image, and motion indication signal (col. 2), an alarm condition (col. 3, lines 49-54);

Re claims 19-25, the method claims are rejected by the same reasons above as taught by Peters.

5. Claims 1, 2, 26-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Brown (US 5,455,561).

Re claims 1, 2, 26-31, Brown discloses a automatic security monitor reporter comprising all steps of claimed invention for comparing the image with the reference image to predetermined threshold (cols. 4-6).

Claim Rejections - 35 U.S.C. § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freeman (US 5,396,284) in view of Cohen (6,094,134).

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Re claims 3-7, Freeman discloses the surveillance method for providing remote surveillance an internal area comprising the steps as shown above, but Freeman fails to particularly disclose the image and indication of alarm are transmitted by a networking system. Cohen show system comprising camera, network, remote station, for transmitting the indication signal to the remote station to verify if an activity is present (cols. 3-5). Taking the teachings of Freeman and Cohen together as a whole, it would have been obvious to one of ordinary skill in the art to use the transmitting the image over the network of Cohen into the method of Freeman for the same purpose as claimed so that controller easily verify indication signals such as alarm signals and capably to activate the camera where the indication signals are located.

8. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peters (5,396,284).

Re claims 10 and 11, Peters discloses the system above for providing the image to the remote controller by the telecommunications network but Peters fails to show a mail message. However, the E-mail message is sent over the network or Internet is well known in the art, so that the official notice is taken. It would have been obvious to one of ordinary skill in the art to send the E-mail message and image over the Internet for easily communication at the remote location.

It is noted that the present application serial number 09/098729 is continuation of a provisional application 60/051,489 filed 07/01/97. However, the provisional application is not provided during the office action is made. The rejection below would be proper.

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9. Claims 1-31 are rejected under 35 U.S.C. 102(a) as being anticipated by Seeley et al. (US 6,069,655).

Re claims 1-31, Seeley discloses a video security system comprising camera, terminal device, network ISDN, motion detection, and comparison for surveillance system as shown in figure 1. See also cols. 5-7.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ishibashi et al (US 5,270,811) discloses a telemetry monitoring method and device therefor transmitting information by means of asynchronous transfer mode technique in broadband ISDN.

Contact Information

11. "Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Tung Vo whose telephone number is **(703) 308-5874** and E-mail is "**tung.vo@uspto.gov**". The examiner can normally be reached on Monday to Friday from 7:00 AM to 4:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley, can be reached on (703) 305-4856. The fax number for submitting formal communications is (703)308-6306 or (703) 308-6296.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700."

T

T. Vo

August 22, 2000


CHRIS S. KELLEY
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